

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

MORRIS AKERMAN, ON BEHALF OF HIMSELF
AND A CLASS OF PERSONS SIMILARLY SITUATED,

Plaintiff,

- against -

COLLINS AND AIKMAN CORP., DAVID
STOCKMAN, J. MICHAEL STEPP, AND BRYCE
KOTH,

Defendants.

Case No. 05-CV-5098

SUGGESTION OF BANKRUPTCY

PLEASE TAKE NOTICE THAT on May 17, 2005, defendant Collins & Aikman Corporation ("C&A") filed a Petition for Reorganization under Chapter 11 of the United States Bankruptcy Code in the United States Bankruptcy Court for the Eastern District of Michigan in Detroit, Michigan. *In re Collins & Aikman Corporation*, 05-55927.

Pursuant to 11 U.S.C. § 362 all proceedings against C&A pending in this Court have been and are stayed until further order of the Bankruptcy Court. The Complaint in this action was filed on or about May 26, 2005 in violation of the stay.

This Notice shall not effect a waiver of any objections or defenses of C&A or any other defendant, including, but not limited to, insufficiency of service, lack of jurisdiction or improper venue. This Notice is filed without prejudice to any motion by any defendant to transfer this action and any related action to the United States District Court for the Eastern District of Michigan for consolidation with actions pending in that Court or the United States Bankruptcy Court for the Eastern District of Michigan.

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Dated: May 31, 2005

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